

PUBLICATION: _____

RESOLUTION NO. 2025-11

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
LEAVENWORTH, KANSAS REGARDING THE ALTERATION OF THE
BOUNDARIES OF RURAL FIRE DISTRICT NO. 1 OF LEAVENWORTH COUNTY,
KANSAS BY THE DETACHMENT OF THE DELAWARE TOWNSHIP.**

WHEREAS, Rural Fire District No. 1 of Leavenworth County, Kansas (“Fire District No. 1”) was formed in 2003 by the Board of County Commissioners of Leavenworth County, Kansas (“County”) under K.S.A. 19-3601 et. seq, the Fire Protection Act; and

WHEREAS, The Fire District No. 1 is comprised of the City of Lansing, Delaware Township, and High Prairie Township; and

WHEREAS, the County, the City of Lansing, Delaware Township and High Prairie Township all entered into an Interlocal Agreement under K.S.A. 12-2901, et. seq., the Interlocal Cooperation Act; and

WHEREAS, the County delegated all of the governing powers of Fire District No. 1 to a board of trustees in the Interlocal Agreement under K.S.A. 12-3612a; and the Interlocal Agreement set forth the terms and conditions governing the joint operation and management of the Fire District; and

WHEREAS, the Interlocal Agreement was terminated on December 31, 2024; and

WHEREAS, the County became and constituted the governing body of Fire District No. 1 under K.S.A. 19-3601 on January 1, 2025; and

WHEREAS, the County in order to provide fire protection services within the boundaries of Fire District No. 1 entered into a contract with the City of Lansing to provide fire protection services within the boundaries of Fire District No. 1. for a period of one year; and

WHEREAS, K.S.A. 12-2908, entitled Contracts between Municipalities authorizes the parties to cooperate in public functions; and

WHEREAS, K.S.A. 19-3608, entitled agreements with cities or townships for fire protection services, specifically authorized the County and City of Lansing to enter into an agreement for fire protection services; and

WHEREAS, Delaware Township and the City of Lansing have entered into an agreement for the funding of fire protection services within the geographic boundaries of Delaware Township via a Contract Governing the Provision of Fire Services by the City of Lansing to Delaware Township in Leavenworth County, Kansas dated October 24, 2024 and;

WHEREAS, K.S.A. 19-3604(b) sets forth the process for the alteration of a fire district and;

WHEREAS, on March 13, 2025 the County received a petition from the Delaware Township pursuant to K.S.A. 19-3604(b) for the alteration of Fire District No. 1, and seeking the exclusion of the Delaware Township from Fire District No. 1; and

WHEREAS, the Board of County Commissioners may adopt and publish a resolution attaching or detaching the lands described from the fire district upon a sufficient petition to the Board of County Commissioners.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS SITTING IN REGULAR SESSION DOES HEREBY RESOLVE:

1. Delaware Township submitted a sufficient petition for the exclusion of Delaware Township from Rural Fire District No. 1 of Leavenworth County, Kansas; and
2. The petition submitted by Delaware Township has been signed by the owners of at least 10% of the area of the lands sought to be excluded from Fire District No. 1; and
3. The petition submitted by Delaware Township conforms as nears as may be possible to the petition required for the organization of the fire district; and
4. Delaware Township has made adequate arrangements to provide fire protection services to Delaware Township via its agreement for fire protections services with the City of Lansing, and detaching the City of Lansing from Fire District No. 1 will not harm the public health, welfare and safety of residents within Delaware Township; and
5. Delaware Township has no outstanding financial obligation to Fire District No. 1; and
6. The Board of County Commissioners has reviewed the request and considered relevant factors, including the impact on fire protection services, financial obligations and the best interest of the residents of both Delaware Township and Fire District No. 1; and


7. That Delaware Township is hereby detached from Rural Fire District No. 1
Leavenworth County, Kansas; and
8. That this Resolution shall be published once each week for two consecutive weeks in
the official County paper, the *Leavenworth Times*; and
9. The County Administrator and other County staff are authorized and directed to
prepare and publish the statutory notices and prepare all other necessary and
appropriate documentation to accomplish the detachment of the Delaware Township
from Rural Fire District No. 1 of Leavenworth County, Kansas.

ADOPTED the 19th day of March, 2025.

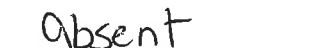
BOARD OF COUNTY COMMISSIONERS
OF LEAVENWORTH COUNTY, KANSAS


Mike Smith, CHAIR


Jeff Culbertson, MEMBER


Vanessa Reid, MEMBER


Willie Dove, MEMBER


Mike Stieben, MEMBER



ATTEST:

 by 
Fran Keppler, CLERK